

Message

From: Janette Brimmer [jbrimmer@earthjustice.org]
Sent: 12/24/2014 4:07:55 PM
To: 'Dertke, Daniel (ENRD)' [Daniel.Dertke@usdoj.gov]; Vincent Yazzie [vinceyazzie@yahoo.com]; mgoodstein@hgnlaw.com; mshapp@hglaw.com; 'bbartlett@law.du.edu' [bbartlett@law.du.edu]; 'barthlawoffice@gmail.com' [barthlawoffice@gmail.com]; Amanda Goodin [agoodin@earthjustice.org]; Anne Lynch [ALynch@hgnlaw.com]
CC: Wehrum, William L. [wwehrums@hntx.com]; Fichthorn, Norm [nfichthorn@hntx.com]; Flynn, Aaron M. [aflynn@hntx.com]; Ramaley Karilee S [Karilee.Ramaley@srpnet.com]; Anderson, Lea [leanderson@hntx.com]; [o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b8317edf62f74e67bcf42adbdf7785e9-LANDER03]; Lyons, Ann [alyons@hntx.com]; [o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=39ea390c390e41fd84511d6cdc266cee-ALYONS]; Smith, Rodney [rodney.smith@sol.doi.gov]; Smith, Ryan A. [RSmith@BHFS.com]; Hanuschak, Dulcinea Z. [DHanuschak@BHFS.com]; Godfrey, Merrill C. [MGodfrey@AKINGUMP.com]; Pongrace, Don [dpong@AKINGUMP.COM]; Paul Spruhan [pspruhan@nndoj.org]
Subject: RE: NGS motion for amended schedule and format

Daniel, generally we could agree to 60 days for EPA's brief if our brief due date is in late January, but the schedule as proposed is overall too strung out. You can note that we would not oppose 60 days from when petitioner's brief is due, or, if it is easier, you can simply represent that we are generally opposed to EPA's motion.

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From: Dertke, Daniel (ENRD) [mailto:Daniel.Dertke@usdoj.gov]
Sent: Wednesday, December 24, 2014 8:02 AM
To: Vincent Yazzie; mgoodstein@hgnlaw.com; mshapp@hglaw.com; 'bbartlett@law.du.edu'; 'barthlawoffice@gmail.com'; Janette Brimmer; Amanda Goodin; Anne Lynch
Cc: Wehrum, William L.; Fichthorn, Norm; Flynn, Aaron M.; Ramaley Karilee S; Lea Anderson; Ann Lyons; Smith, Rodney; Smith, Ryan A.; Hanuschak, Dulcinea Z.; Godfrey, Merrill C.; Pongrace, Don; Paul Spruhan
Subject: NGS motion for amended schedule and format

All – as I informed all of the petitioners on Monday, the United States and the Hopi Tribe are filing a motion requesting three items: a briefing schedule beginning on March 16; a period of 60 days between petitioners' briefs and the United States' brief, regardless of when petitioners' briefs are filed; and a briefing format requiring petitioners in Nos. 14-73101 and 14-73102 to file a joint brief. Attached is a draft motion; please let me know your position today (Janette and Amanda, please let me know if you still oppose all three of these requests).

- Dan